

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTOLIN A. MARKS,)	
)	
Plaintiff(s),)	No. C09-6043 BZ
)	
v.)	
)	REPORT AND RECOMMENDATION
SPRINT CORPORATION, et al.,)	TO DISMISS ACTION
)	
Defendant(s).)	
)	
)	

On January 5, 2010, I denied plaintiff's application to proceed *in forma pauperis* and required him to pay the filing fee by February 1, 2010. Plaintiff has failed to do so and has not consented to magistrate judge jurisdiction. I am therefore having this case reassigned and recommend that it be dismissed for lack of prosecution.

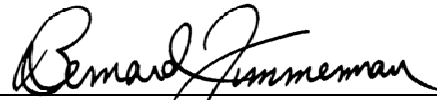
The reasons for my denial included the fact that plaintiff appears to be gainfully employed and has a positive cash flow and the fact that the injuries of which he complains

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were to his business which is immigration defense. See e.g.
paragraph 29 of the complaint.

Dated: April 1, 2010



Bernard Zimmerman
United States Magistrate Judge

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